(13)

IN THE

Supreme Court of the United States

OCTOBER TERM, 1943

No. 724

CLYDE H. WALKER, *Petitioner*,

v.

P. J. SQUIER, WARDEN, UNITED STATES PENITENTIARY, McNeil Island, Washington, *Respondent*.

PETITION ON MOTION BY CLYDE H. WALKER IN HIS OWN BEHALF FOR LEAVE TO PRESENT A PETITION FOR A WRIT OF CERTIORARI AND BRIEF IN SUPPORT THEREOF TO THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE NINTH CIRCUIT.

PETITION BY COUNSEL DENIED MARCH 27, 1944.

REHEARING DENIED MAY 8, 1944.

CLYDE H. WALKER, *Pro Se.*,
McNeil Island Penitentiary,
P.M.B. 15124,
Steilacoom, Washington.

ALLSTRUM PRINTING CO. TACOMA, WASH.

FOREWORD

That Justice Black was a member of Senate Investigating Committee in 1935 that obtained contra to Section 605 of Communications Act telegraphic messages sent by and to petitioner from transmitting agencies, viz.: Western Union and Radio Corporation of America, copies of said messages being given against legal sanction (some of which telegrams were copied in the indictment but were refused admission as evidence by the trial court) to the Postal Inspector and United States District Attorney by the Committee to aid in the gaining of information for prosecution of petitioner-defendant, and Justice Black should not sit in judgment on this cause.

That Justices Jackson and Murphy were each Attorney Generals of United States at a time from April 1936 to January 1941 when the criminal cause was being defended and on appeal, and for such reason they each should not sit on this cause.

WESTERN UNION

Tacoma, Washington, May 14, 1944

S. Wallace Dempsey,
Attorney,
723 Investment Building,
Washington, D. C.

Your contract of employment has been fulfilled and Mr. Walker is desirous of filing a motion in Supreme Court at Washington, D. C. on his own behalf and kindly asks you to notify the Court of your withdrawal from the case.

Clyde H. Walker
By Dorothy Shallow
Tacoma Hotel,
Tacoma, Washington.